

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
Tuesday, September 27, 2011**

**Present:** Commissioner President Francis Jack Russell  
Commissioner Lawrence D. Jarboe  
Commissioner Cynthia L. Jones  
Commissioner Daniel L. Morris  
Commissioner Todd B. Morgan  
John Savich, County Administrator  
Sharon Ferris (Recorder)

**CALL TO ORDER**

Commissioner President Russell called the business meeting to order at 9:00 am in the Chesapeake Building meeting room, Governmental Center.

**ADDITIONS/DELETIONS TO AGENDA**

Addition to Main Agenda - Request to approve Ordinance and related Budget Amendments to cover anticipated costs related to Hurricane Irene.

Deletion - County Administrator, Part 1 (St. Mary's County Public Schools item only)

**APPROVAL OF MINUTES**

**Commissioner Jarboe moved, seconded by Commissioner Morgan, to adopt the minutes of the September 20, 2011, as presented. Motion carried 5-0.**

**ST. MARY'S COUNTY PUBLIC SCHOOLS: STATE CAPITAL IMPROVEMENTS PROGRAM FY 2013-18**

**Present:** Dr. Michael Martirano, Superintendent  
Brad Clements, Chief Operating Officer  
Kimberly Howe, Coordinating Supervisor of Capital Planning & Green Schools

The revised FY2013 through 2018 State Capital Improvements Program was presented. Only one project is being submitted to the state, the Greenview Knolls Elementary School HVAC

systemic renovation. Local Capital Improvement projects will be submitted to the Board at a later date. The report presented elementary, middle, and high school growth projections (new schools) based on the projected number of students exceeding capacity. Actual enrollment data for this year will be available in a couple of weeks but it is known that enrollment is up from last year's projection by over 100. The need to procure land in the near future for a new high school was also discussed. Following the presentation, Dr. Martirano responded to questions and comments from the Commissioners.

*Mr. Savich asked that the Commissioner be provided data that depicts how projections change from year to year.*

**Commissioner Jarboe moved, seconded by Commissioner Morris, to sign the letter of support for the FY 2013-FY2018 State Capital Improvements Program as approved by the Board of Education on August 31, 2011, to be submitted to the Public School Construction Program in accordance with state procedures and to pay for the additional costs, we will take construction of FDR Blvd. out of the County Budget for FY-2013 to FY-2018 timeframes. Motion denied 2-3. Commissioners Russell, Morgan and Jones voted nay.**

**Commissioner Morgan, seconded by Commissioner Morris, to sign the letter of support for the FY 2013-FY2018 State Capital Improvements Program as approved by the Board of Education on August 31, 2011, to be submitted to the Public School Construction Program in accordance with state procedures. Motion carried 5-0.**

## **DEPT. OF FINANCE: REQUEST TO APPROVE ORDINANCE AND RELATED BUDGET AMENDMENTS TO COVER ANTICIPATED COSTS RELATED TO HURRICANE IRENE**

**Present:** Elaine Kramer, CFO

Bob Kelly, Director, Public Safety and Information Technology

A Public Hearing was held on September 13, 2011, to consider an FY 2012 Supplemental Appropriation of \$3M from the Unapplied FY 2010 Fund Balance to fund Hurricane Irene related costs. No public comments were received. Following the public hearing, projected debris cleanup and personnel costs were revised to \$3.3M. A balance of \$8.7M will be left in the Unapplied FY2010 Fund Balance once the \$3.3M is transferred to the BOCC Emergency Reserve. The budget amendment today is for non-payroll related costs to-date and staff will have another budget amendment in October to cover payroll related costs. It is not known at this time when FEMA funding will be received.

**Commissioner Jones moved, seconded by Commissioner Morris, to adopt and execute the proposed Ordinance #2011-39, effective today, to add \$3.3 million to the FY 2012 Operating Budget for Hurricane Irene related costs; to approve and authorize Commissioner President Russell to execute the budget amendment in the amount of \$3.3 million from the FY 2010 Fund Balance to the BOCC Emergency Reserve authorized by Ordinance # 2011-39 and I move to approve and authorize Commissioner President Russell to execute the budget amendment in the amount of \$2,768,000 from the BOCC Emergency Reserve to the Public Safety Project OT 1220**

**for non-payroll related costs and direct staff to bring back a budget amendment in October 2011 for the payroll related costs. Motion carried 5-0.**

**OFFICE OF THE COUNTY ATTORNEY: RESCISSION OF RESOLUTION 2005-53  
(AUTHORIZING ACCEPTANCE OF CERTIFICATES OF GUARANTEE IN LIEU OF  
SURETY BONDS OR LETTERS OF CREDIT)**

**Present:** George Sparling, County Attorney  
Elaine Kramer, CFO  
George Erichsen, Director, Dept. of Public Works and Transportation

Mr. Sparling explained the background for issuance of Resolution 2005-53 which provided a mechanism by which contractors could form an association to co-guarantee each other's work in lieu of posting a customary surety. The County has not been requested to accept a certificate of guarantee since the Resolution's adoption. The County Attorney, Director of Public Works and the Chief Financial Officer are recommending rescission of the Resolution.

**Commissioner Jarboe moved, seconded by Commissioner Morgan, to rescind Resolution 2005-53. Motion carried 5-0.**

**DEPT. OF FINANCE: FY 2013 BUDGET PROCESS RECOMMENDATIONS AND BUDGET  
CALENDAR**

**Present:** Elaine Kramer, CFO

Ms. Kramer presented the recommended budget calendar for FY13 and indicated changes incorporated to streamline the process, as requested by the Commissioners. Changes included fewer work sessions with each session focused on a related set of decisions, better integration of capital and operating budget decisions, capital budget discussions focused mainly on key projects and major changes, new timing and rules for Board of Education, simplified requirements for budget submissions and flexibility to add or delete work sessions.

**Commissioner Jones moved, seconded by Commissioner Morris, to approve the FY 2013 Budget calendar as presented and direct staff to circulate the instructions, schedule the meetings based on the calendar, and incorporate the changes reflected in the memo into the process. Motion carried 5-0.**

**COMMISSIONER'S TIME**

The Commissioners highlighted events attended over the past week.

## STATE OF THE COUNTY LUNCHEON

The Commissioners were guest speakers at the State of the County luncheon sponsored by the St. Mary's County Chamber of Commerce and responded to questions from attendees.

## COUNTY ADMINISTRATOR

1. Draft Agenda for October 4, 2011. There will be no meeting on October 11.

**2. Department of Economic and Community Development** (*Bob Schaller, Director; Hans Welch, Manager, Business Development*)

*(Lisa Quill, Vice President from Cheseldine Management Consulting LLC)*

**Commissioner Jones moved, seconded by Commissioner Jarboe, to approve and sign the Award Letter to the Southern Maryland Tri-County Community Action Committee, Inc. for ten (10) Impact Fee Waiver requests for the Hunting Creek Self-Help Housing Project located in Lexington Park, Maryland, and to approve and authorize Commissioner President Russell to sign the related Budget Amendment. Motion carried 5-0.**

**3. Sheriff's Office** (*Erin Shoemaker, Fiscal Manager*)

**Commissioner Morris moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute Form 2, the Police Protection FY12 Estimated Expenditures, Form 3, the Sworn Officer Roster at June 30, 2011, and the State Aid Grant Application on behalf of the Sheriff's Office. Motion carried 5-0.**

**4. Department of Public Works and Transportation** (*George Erichsen, Director*)

**Commissioner Jarboe moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to sign:**

**a. Public Works Agreement Addendum guaranteeing the construction of roads in the Emerald Hills Estates Subdivision, Section 4, located in the 8<sup>th</sup> Election District with an Expiration Date of June 1, 2012.**

**b. Public Works Agreement Addendum guaranteeing the construction of the roads in the Pembroke Subdivision, Phase 2, located in the 8<sup>th</sup> Election District with an Expiration Date of August 1, 2012.**

**c. Public Works Agreement Addendum guaranteeing the construction of the roads in the Pembroke Subdivision, Phases 3 & 4, located in the 8<sup>th</sup> Election District with an expiration date of August 1, 2012.**

**Motion carried 5-0.**

**Commissioner Jones moved, seconded by Commissioner Morris, to authorize the Department of Public Works and Transportation to proceed with scheduling a Public Hearing for the purpose of soliciting public comment on the proposed relocation of Morgan Road. Motion carried 5-0.**

**5. Office of the County Attorney (*George Sparling, County Attorney*)**

**Commissioner Morgan moved, seconded by Commissioner Morris, that the Board of County Commissioners accept the offer of settlement by P.F. Summers Myrtle Point, L.L.C. and Fulton Bank to settle all claims by St. Mary's County under two (2) Public School Capacity Mitigation Agreements related to the Woods at Myrtle Point by payment of \$157,231. Motion carried 5-0.**

**MOTION TO ENTER INTO EXECUTIVE SESSION**

**Commissioner Jones moved, seconded by Commissioner Morgan, to enter into Executive Session for the purpose of discussing personnel, specifically, to review candidates for Director, Land Use & Growth Management position. Motion carried 4-1. *Commissioner Jarboe voted nay.***

**EXECUTIVE SESSION**

Personnel

Present: Commissioner Francis Jack Russell, President  
Commissioner Lawrence D. Jarboe  
Commissioner Cynthia L. Jones  
Commissioner Daniel L. Morris  
Commissioner Todd B. Morgan  
John Savich, County Administrator  
Sue Sabo, Human Resources  
Donna Gebicke, Recorder

Authority: Article 24, Section 4-210(a)1

Time Held: 3:53 pm – 4:16 pm

Subject Discussed: Personnel (review candidates for Director, Land Use & Growth Management)

**MOTION IN OPEN SESSION**

**Commissioner Jarboe moved, seconded by Commissioner Morris, to direct staff to proceed as discussed in Executive Session. Motion carried 5-0.**

**ADJOURNMENT**

Commissioner Russell adjourned the Board of County Commissioners meeting at 4:18 pm.

Minutes Approved by the Board of County Commissioners on \_\_\_\_\_

\_\_\_\_\_  
Sharon Ferris, Senior Administrative Coordinator (Recorder)